

## JOINT LEGISLATIVE BUDGET COMMITTEE

### JLBC Staff References as of 9/19/05

1. The Department of Economic Security, OSPB and JLBC shall develop a financial and program accountability reporting system for Child Protective Services. (A.R.S. § 8-818A as added by Laws 2003, Chapter 6, 2<sup>nd</sup> Special Session, Section 22A) *Emergency*
2. The Department of Economic Security (DES) shall issue the first financial and program accountability report for Child Protective Services on or before August 1, 2004. In developing the financial and program accountability reporting system, DES, OSPB and the JLBC shall review the current reporting requirements of the department to eliminate duplication of reporting requirements and to coordinate reporting requirements. DES, OSPB and the JLBC shall also review the current information processing capabilities to report timely and accurate information. On or before July 1, 2004, the DES shall report to the Governor and the chairpersons of the House Appropriations and Human Services Committees and the Senate Appropriations and Family Services Committees the measures to be used to report the accountability factors, including a definition of and the methods for determining these measures. (A.R.S. § 8-818D as added by Laws 2003, Chapter 6, 2<sup>nd</sup> Special Session, Section 22D) *Emergency*
3. A convention center development project is eligible only if the JLBC has conducted a financial analysis of the proposed project that indicates that the project will result in an increase in state General Fund revenues greater than the amounts of distributions pursuant to Section 9-602 in connection with the project. (A.R.S. § 9-605C1 as added by Laws 2003, Chapter 266, Section 1) *Retroactive to fiscal years beginning from and after 6/30/03*
- \*4. Beginning in ~~FY 2003~~ FY 2006 and in each fiscal year thereafter, the State Treasurer shall withhold a total of ~~\$5 million~~ \$2,395,400 for the county contribution for the administrative costs of implementing section 36-2901.01 and 36-2901.04. Beginning in ~~FY 2003~~ FY 2007, the State Treasurer shall adjust the amount withheld according to the annual changes in the GDP Price Deflator and as calculated by the JLBC Staff. Beginning in ~~FY 2004~~ FY 2007, the JLBC shall calculate an additional adjustment of the allocation required for ALTCS Services based on changes in the population as reported by the Department of Economic Security. (A.R.S. § 11-292P as amended by Laws 2005, Chapter 328, Section 1) **(See same one listed in Committee Responsibilities)**
5. If the total of the initial payment, annual payment and strategic contribution payment, as these terms are prescribed in Section 9B and 9C of the Tobacco Master Settlement Agreement entered into on November 23, 1998, in any fiscal year is less than 66% of the original amount identified in that agreement, and the state has used all previous tobacco settlement payments to administer and provide health care, in the following fiscal year the counties shall contribute an amount that equals 33% of the difference between the actual payment and 66% of that original amount identified for each year of the Master Settlement Agreement. The JLBC Staff shall calculate the total county contribution pursuant to this subsection.

A county's share of the payments pursuant to subsection A of this section is the percentage of that county's population to the state's current population. The JLBC Staff shall calculate each county's contribution. (A.R.S. § 11-300A & C as added by Laws 2001, Chapter 344, Section 13)

6. Based on the amounts reported by and appropriated pursuant to subsection G of this section [by the State Treasurer] pertaining to County and Municipal Judicial Collections, the JLBC Staff shall determine and the Department of Administration shall allocate to each agency's or department's Employee Related Expenditures an amount for costs of increased state employee health insurance and retirement rates. In making its determination, the JLBC Staff shall allocate the first \$23 million for increases in state employee health insurance costs and any remaining amount up to \$21 million for increases in state employee retirement rates. (A.R.S. § 12-116.04H as added by Laws 2003, Chapter 263, Section 8) *Effective retroactively to from and after 8/31/03*

### ***Criminal Justice Reports***

7. Director shall approve the form of the quarterly reports on sources of all monies and expenditures as prescribed by the Arizona Criminal Justice Commission for each department or agency of this state receiving monies pursuant to this section or A.R.S. § 13-2314.03 or 13-4315 or from any department or agency of the U.S. or another state as a result of participation in any investigation or prosecution with regard to any Anti-Racketeering Revolving Fund as submitted by the Attorney General. (A.R.S. § 13-2314.01F)
8. Director shall approve the form of the quarterly reports on the Anti-Racketeering Revolving Fund sources of all monies and all expenditures as prescribed by the Arizona Criminal Justice Commission submitted by the Attorney General. (A.R.S. § 13-2314.01G)
9. Director shall receive quarterly reports on the Anti-Racketeering Revolving Fund from the Arizona Criminal Justice Commission compiling the Attorney General report and the reports of all departments and agencies of this state into a single comprehensive report. (A.R.S. § 13-2314.01H)
10. Director shall approve the form of the quarterly reports on sources of all monies and expenditures as prescribed by the Arizona Criminal Justice Commission from the county attorney with regard to the County Anti-Racketeering Revolving Fund. (A.R.S. § 13-2314.03F)
11. Director shall approve quarterly reports on sources of all monies and expenditures, with regard to the County Anti-Racketeering Revolving Fund, as prescribed by the Arizona Criminal Justice Commission submitted by the county attorney of the county in which the political subdivision is located. These are reports from each political subdivision of this state, receiving monies pursuant to this section or A.R.S. § 13-2314.01 or 13-4315 or from any department or agency of the U.S. or another state as a result of participating in any investigation or prosecution. (A.R.S. § 13-2314.03G)
12. Director shall receive quarterly reports on the County Anti-Racketeering Revolving Fund from the Arizona Criminal Justice Commission compiling all county attorney reports into

a single comprehensive report and all political subdivision reports into a single comprehensive report. (A.R.S. § 13-2314.03H)

### ***Education***

13. Director to receive from the State Board of Education a prepared fiscal impact statement of any proposed changes to the minimum course of study or competency requirements for the promotion of pupils from the 3<sup>rd</sup> grade and for the promotion of pupils from the 8<sup>th</sup> grade. (A.R.S. § 15-203A12 as amended by Laws 1998, 5<sup>th</sup> Special Session, Chapter 1 (S.B. 1001) Section 8) *Emergency*
14. Director to receive from the State Board of Education a prepared fiscal impact statement of any proposed changes to the minimum course of study or competency requirements for the graduation of pupils from high school. (A.R.S. § 15-203A13 as amended by Laws 1998, 5<sup>th</sup> Special Session, Chapter 1 (S.B. 1001) Section 8)
15. According to an analysis of cost data by the JLBC Staff, the annual school report card shall contain, for the most recent year available, the average current expenditure per pupil for administrative functions compared to the predicted average current expenditure per pupil for administrative functions. (A.R.S. § 15-746A16 as added by Laws 1999, Chapter 4, 1<sup>st</sup> Special Session)
- \*16. By March 30 of each year determine a per pupil amount from the Classroom Site Fund for the budget year using the estimated statewide weighted count for the current year pursuant to A.R.S. § 15-943 paragraph 2(a) and based on estimated available resources in the Classroom Site Fund for the budget year. (A.R.S. § 15-977B1 G as added by Laws 2000, 5<sup>th</sup> Special Session, Chapter 1, Section 16 and amended by Laws 2005, Chapter 305, Section 2) *Implemented from and after 5/31/01*

### ***ASDB Salaries***

17. May consider the results of the salary equity study conducted by the Department of Administration, Department of Education and the Board of Directors of the Arizona School for the Deaf and the Blind in making its recommendation for funding of existing personnel services. (A.R.S. § 15-1331A&B as amended by Laws 1995, Chapter 196 (S.B. 1143) Section 22)
18. The full-time equivalent student enrollment reported by each district for all basic actual, additional short-term and open entry, open exit classes and skill center and adult basic education courses shall be audited annually by the Auditor General. The Auditor General shall report the results of the audit to the staffs of the JLBC and the Governor's Office of Strategic Planning and Budgeting by October 15 of each year. (A.R.S. § 15-1466.01 as amended by Laws 2004, Chapter 336, Section 10)
19. On or before May 15, the JLBC Staff shall:

1. Determine the amount of reimbursement to each Community College District from each county pursuant to subsection B, Paragraph 1 of this section which deals with attendance of nonresident state students.
  2. Notify the board of supervisors of each county of the amount it shall reimburse to each district pursuant to subsection B, paragraph 1 of this section for the budget year.
  3. Notify each Community College District eligible to receive reimbursement of the amount of reimbursement from each county pursuant to subsection B, paragraph 1 of this section for the budget year. (A.R.S. § 15-1469D)
- \*20. NEW 05: THE AUDITOR GENERAL SHALL REPORT THE RESULTS OF THEIR AUDIT OF THE FULL-TIME EQUIVALENT STUDENT ENROLLMENT REPORTED FOR THE PREVIOUS FISCAL YEAR BY EACH UNIVERSITY TO THE STAFFS OF JLBC AND OSPB ON OR BEFORE OCTOBER 15 OF EACH YEAR. (A.R.S. § 15-1661B)

***Ballot Measures***

21. A summary of the fiscal impact statement shall be prepared by JLBC Staff for each ballot measure, not to exceed 300 words, for publication in the Secretary of State publicity pamphlet. (A.R.S. § 19-123A5&E as added by Laws 1999, Chapter 294, Section 1)
22. JLBC Staff to present a fiscal impact presentation on qualified ballot measures at public hearings held in at least 3 counties and before the date of the election on the measure. (A.R.S. § 19-123D)

***Mined Land Reclamation***

23. The Mine Inspector shall pay the consultant for the services rendered from the inspector's appropriation under A.R.S. § 27-934. [for the purpose of assisting the inspector in reviewing other than sand and gravel reclamation plans]. The Inspector shall report to the JLBC Staff Director:
  1. Expenditures of money for purposes of this section.
  2. The name and address of each consultant.
  3. The plan submittals that cause the expenditure of the monies.
 (A.R.S. § 27-935B)
- \*24. NEW 05: THE MINE INSPECTOR SHALL PAY THE CONSULTANT FOR THE SERVICES RENDERED FROM THE INSPECTOR'S APPROPRIATION UNDER A.R.S. § 27-1232. [FOR THE PURPOSE OF ASSISTING THE INSPECTOR IN REVIEWING SAND AND GRAVEL RECLAMATION PLANS]. THE INSPECTOR SHALL REPORT TO THE JLBC STAFF DIRECTOR:
  1. EXPENDITURES OF MONEY FOR PURPOSES OF THIS SECTION.
  2. THE NAME AND ADDRESS OF EACH CONSULTANT.
  3. THE PLAN SUBMITTALS THAT CAUSE THE EXPENDITURE OF THE MONIES.
 (A.R.S. § 27-1233B)

25. Director shall receive a full and complete account of receipts and disbursements for the previous 6 months from the Attorney General on or before the 15th day of January and July each year resulting from actions taken against the state from an incarcerated person. (A.R.S. § 31-238G)
26. Director shall receive by September 1 of each year a report from the director of the Department of Corrections on the monies that are collected and spent having to do with utility fees for electrical utilities that are consumed by prisoners who are confined in a correctional facility. (A.R.S. § 31-239B)
27. JLBC Director to receive quarterly reports from the Department of Corrections detailing the cost reductions to the department that are directed to the Transition Program Release pursuant to this article. The reduction rate shall equal at least \$17 per inmate per day. The Transition Program ends on July 1, 2013. (A.R.S. § 31-285B as added by Laws 2003, Chapter 256, Section 3)
28. For FY 2004 and each fiscal year thereafter, JLBC and OSPB shall include funding for placement of automated external defibrillators in capital budgets for any state building that is constructed or any state building that undergoes a major renovation at a cost of at least \$250,000. (A.R.S. § 34-401B as added by Laws 2002, Chapter 18, Section 1)  
*Effective from and after 6/30/03.*
29. Department of Commerce Energy Office to report the energy and cost avoidance amounts for solar energy and energy conservation design, equipment and materials installed in state buildings to OSPB and JLBC. (A.R.S. § 34-452C3)

***Administrative Cost and Performance Measures***

30. In consultation with the Office of Strategic Planning and Budgeting, establish performance measures of the budget unit for the previous fiscal year and the budget years as a summary on 1 page or less. (A.R.S. § 35-115.6 as amended by Laws 1997, Chapter 210, Section 11) (*Effective from and after 2/28/98*)
31. In consultation with the JLBC Staff, the Governor's Office of Strategic Planning and Budgeting may modify the list of programs submitted by each budget unit. (A.R.S. § 35-122A as amended by Laws 2002, Chapter 210, Section 10) (*Effective from and after 2/28/98*) *The application of the provisions of this act shall begin for the 2003-2004 fiscal year.*
32. Receive 5-year strategic plans by January 1 of each year by the administrative head of each annual budget unit. The Senate and House Appropriations Committees shall review the strategic plans annually. (A.R.S. § 35-122B1 as amended by Laws 2002, Chapter 210, Section 10) *The application of the provisions of this act shall begin for the 2003-2004 fiscal year.*

33. Receive mission statement, description and strategic issues for the entire budget unit as part of the operating plan by September 1 of each year by the administrative head of each annual budget unit. Each year annual budget units shall submit performance measures and budgetary data for the prior, current and ensuing fiscal year. (A.R.S. § 35-122B2&3 as amended by Laws 2002, Chapter 210, Section 10) *The application of the provisions of this act shall begin for the 2003-2004 fiscal year.*
34. Receive mission statement, description and strategic issues for the entire budget unit as part of the operating plan by September 1 of each year by the administrative head of each biennial budget unit. In even numbered years, biennial budget units shall submit performance measures and budgetary data for the prior, current and 2 ensuing fiscal years. In odd numbered years, biennial budget units shall submit performance measures and budgetary data for the prior, current and 1 ensuing fiscal year. (A.R.S. § 35-122C1&2 as amended by Laws 2002, Chapter 210, Section 10) *The application of the provisions of this act shall begin for the 2003-2004 fiscal year.*
35. Each account or fund established or canceled shall be reported to the Directors of the JLBC and Governor's Office of Strategic Planning and Budgeting. (A.R.S. § 35-142E)
36. The JLBC shall include estimates of appropriation or transfers required in their annual budget recommendations with regard to the Budget Stabilization Fund. (A.R.S. § 35-144E)

### ***Health***

37. Governor shall submit a copy of the Executive Order to JLBC Staff Director when monies in the Health Crisis Fund are set aside for a health crisis or a significant potential for a health crisis that exists in this state. (A.R.S. § 36-797C)
38. Receive report from Director of the Department of Health Services of liabilities incurred and expenditures made concerning the Health Crisis Fund within 90 day after the termination of the crisis. (A.R.S. § 36-797E as added by Laws 1999, Chapter 262, Section 12) *(Effective from and after 12/31/99)*
39. JLBC Staff is to calculate annual inflation adjustments for the public health programs funded in Proposition 204 from the Tobacco Litigation Master Settlement and provide this information to the AHCCCS Director. (A.R.S. § 36-2901.02 as added by Proposition 204)
40. If at any time the AHCCCS Administration receives written notification from federal authorities of any change or difference in the actual or estimated amount of federal funds available for disproportionate share payments from the amount reflected in the legislative appropriations for such purposes, the Administration shall provide written notification of such change or difference to the Director of the JLBC. (A.R.S. § 36-2903.01P as amended by Laws 2001, Chapter 344, Section 39)

41. Receive annual report from the Auditor General no later than November 1 of each year on the tobacco tax program evaluations if the Administration (AHCCCS) contracts for the annual program evaluations. (A.R.S. § 36-2907.07B6 as added by Laws 1999, Chapter 262, Section 15, amended by Laws 2001, Chapter 313, Section 2 and further amended by Laws 2003, Chapter 265, Section 23) [Effective from and after 12/31/03]  
**Note: DHS is to provide report prior to 12/31/03; after that date, then the Auditor General is to report.**
42. OSPB and JLBC shall not recommend using the information system cost savings generated by A.R.S. § 36-2925 to supplant state or federal monies used for the operation or administration of the programs operated by AHCCCS. (A.R.S. § 36-2926B as added by Laws 1999, Chapter 313, Section 17)
43. Notwithstanding A.R.S. § 35-174B, the Director of the Department of Administration, the Director of the Department of Public Safety, the Executive Director of the Arizona Board of Regents, the Superintendent of Public Instruction and the Superintendent of the State Schools for the Deaf and the Blind may authorize the expenditure of up to 80% of excess vacancy savings to recognize employees of state agencies and state universities who are under their respective authority and who are participating in the Performance Based Incentives Pilot Program. These excess vacancy savings are any vacancy savings that are over and above the amount eliminated from an agency's budget as the result of the applied vacancy factor reported in the annual Appropriations Report prepared by the Joint Legislative Budget Committee. (A.R.S. § 38-618D as added by Laws 2001, Chapter 247, Section 1)
44. By July 15 each year, the JLBC Staff shall determine the amount appropriated for employer health insurance contributions. (A.R.S. § 38-654C)
- \*45. NEW 05: JLBC IS EXEMPT FROM THE ATTORNEY GENERAL LEGAL SERVICES COST ALLOCATION PRO RATA CONTRIBUTION. (A.R.S. § 41-191.09D) *Effective from and after June 30, 2006.*
46. The JLBC Director or the Director's designee serves as an advisory member to the Special Market Adjustment Committee. (A.R.S. § 41-763.02D1)

***Rent/Lease Purchase***

47. A staff member is to be appointed by the Department of Administration to the Lease Cost Review Board of the Department of Administration. (A.R.S. § 41-792.A2)
48. The Director shall receive quarterly reports from the Director of the Department of Administration on the status of rental fee collections and adjustments for agencies occupying state owned buildings. (A.R.S. § 41-792.01D as amended by Laws 1998, Chapter 113 (H.B. 2087), Section 34) (*Apply retroactively to from and after 6/30/98*) [*Effective from and after 6/30/99*]

49. The JLBC Staff will report the greater of the amount in each agency's annual operating budget the rental authorized for agencies occupying state leased buildings or the pro rata adjusted amount based on actual occupancy. (A.R.S. § 41-792.01E as amended by Laws 1996, Chapter 256 (H.B. 2080) Section 15 and Laws 1998, Chapter 113 (H.B. 2087), Section 34) *(Apply retroactively to from and after 6/30/98) [Effective from and after 6/30/99]*
50. The Department of Administration shall transfer from the applicable state agency budgets to the Lease-Purchase Building Operating and Maintenance Fund established in subsection H of this section amounts necessary to pay all operating costs associated with a lease-purchase building in the amounts reported by the staff of the JLBC. (A.R.S. § 41-792.01E as added by Laws 1998, Chapter 113, Section 34)

***JLBC Staff - General Authority***

51. Ascertain facts and make recommendations to the Legislature relating to the state budget, revenues and expenditures of the state, future fiscal needs, the organization and function of state agencies or their divisions and such other matters incident to the above functions as may be provided for by rules of the JLBC. (A.R.S. § 41-1272A1)
52. The Joint Legislative Budget Committee shall analyze the state tax structure, tax burdens on individuals and businesses and tax incentives for existing and prospective businesses. The analyses shall include (a) projection of the impact of industry specific tax incentive proposals on the state revenue base, (b) comparison among states of relative tax burdens on existing and prospective businesses, and (c) determination of reliance and incidence aspects of the tax structure of this state. (A.R.S. § 41-1272A4 as amended by Laws 2002, Chapter 289, Section 1)
53. The Joint Legislative Budget Committee shall implement a system of fiscal analysis that applies to those bills introduced in the Legislature that involve one or more proposed changes in the tax laws. Unless it is unreasonable to do so, the fiscal analysis shall be based on assumptions that estimate the probable behavioral response of taxpayers, businesses and other citizens and shall include within the analysis a statement identifying those assumptions. (A.R.S. § 41-1272A5 as amended by Laws 2002, Chapter 289, Section 1)
54. In consultation with the Governor's Office of Strategic Planning and Budgeting, the budget analyst shall determine and report to the Governor and the Legislature an estimate of appropriations subject to the limit imposed by Article IX, Section 17, Constitution of Arizona. The report shall be published by February 15 of each year for the preceding fiscal year, for the current fiscal year and for the ensuing fiscal year to reflect the budget recommendation of the Joint Legislative Budget Committee. (A.R.S. § 41-1273E as amended by Laws 1997, Chapter 58, Section 23, Laws 1998, Chapter 241, Section 17, Laws 1998, Chapter 113 (H.B. 2087), Section 36 and Laws 2002, Chapter 210, Section 13) *(Applies retroactively to from and after 2/28/98) The application of the provisions of this act shall begin for the 2003-2004 fiscal year.*



55. The Governor's Office of Strategic Planning and Budgeting, in consultation with the JLBC Staff shall determine and report to the Governor and the Legislature an estimate of appropriations subject to the limit imposed by Article IX, Section 17, Constitution of Arizona. The report shall be published by February 15 of each year for the preceding fiscal year, for the current fiscal year and for the ensuing fiscal year to reflect the budget recommendations of the Governor. (A.R.S. § 35-114B as amended by Laws 1997, Chapter 210, Section 10 and Laws 2002, Chapter 210, Section 5B) *(Effective from and after 2/28/98) The application of the provisions of this act shall begin for the 2003-2004 fiscal year.*
56. By November 1 of each odd-numbered year, the budget analyst shall report and recommend to the Committee:
1. A listing of funds that are recommended for elimination or consolidation that represents not more than 7% of the total number of funds in existence, including all federal, state and other sources of monies and grants.
  2. A listing of funds for conversion from non-appropriated status to appropriated status that represents not more than 7% by dollar amount estimated of all state non-appropriated funds. (A.R.S. § 41-1273F1&F2 as amended by Laws 1997, Chapter 58, Section 23 and Laws 1998, Chapter 241 (H.B. 2322), Section 17) *(Effective from and after 6/30/99)*

**SPAR's**

57. In consultation with the OSPB, the JLBC Staff shall recommend to the Committee by January 1 of each odd-numbered year a list of program areas suggested for Strategic Program Area Review. The JLBC shall determine those program areas that are subject to Strategic Program Area Review from the list of program areas submitted. (A.R.S. § 41-1275A as amended by Laws 1999, Chapter 148, Section 2)
58. The JLBC Staff and OSPB Staff shall review the program areas. To aid in the review, the budget unit responsible for the program that is subject to SPAR shall prepare a self-assessment of its program by June 1 of the odd-numbered year in which the program is being reviewed. After evaluating the program, the two offices are to jointly produce a report of their findings and recommendations for whether to retain, eliminate or modify funding and related statistic references for the programs that are subject to SPAR to the President, Speaker, and Governor no later than January 1 of each even-numbered year. (A.R.S. § 41-1275B as amended by Laws 1999, Chapter 148, Section 2)
59. The Speaker and President shall assign all Strategic Program Areas recommended by JLBC to the Appropriation Committees for the purpose of receiving public input in developing recommendations whether to retain, eliminate or modify funding and related statistic references for the Strategic Program Area subject to review. (A.R.S. § 41-1275C as amended by Laws 1999, Chapter 148, Section 2)
- \*60. On or before February 15 of each year, JLBC shall compute and transmit the truth in taxation rates for equalization assistance for school districts for the following fiscal year to the Chairmen of the House Ways and Means Committee and the Senate Finance Committee OR THEIR SUCCESSOR COMMITTEES, Chairmen of the Appropriations

Committees of the Senate and House OR THEIR SUCCESSOR COMMITTEES. It also explains how to compute the truth in taxation rates. If the Legislature proposes either qualifying tax rates or a county equalization rate that exceeds the truth in taxation rate, the House Ways and Means Committee and Senate Finance Committee OR THEIR SUCCESSOR COMMITTEES shall hold a joint hearing on or before February 28. The Committee shall transmit the rates to the Superintendent of Public Instruction and the County Board of Supervisors by March 15 each year. For purposes of computing the tax increase on an ~~\$80,000~~ \$100,000 home as required by the notice, the joint meeting of the House of Representatives Ways and Means Committee and the Senate Finance Committee OR THEIR SUCCESSOR COMMITTEES shall consider the difference between the truth in taxation rate and the proposed increased rate. (A.R.S. § 41-1276A&C&D&E1(e) as amended by Laws 1999, Chapter 108, Section 5, and further amended, transferred and renumbered by Laws 2000, Chapter 187, Section 8, as amended by Laws 2000, 5<sup>th</sup> Special Session, Chapter 1, Section 35 and amended by Laws 2005, Chapter 302, Section 2) (*Effective from and after 12/31/98*) *Emergency*

61. Director shall review reporting forms used by each agency that receives monies from the Criminal Justice Enhancement Fund by November 1 of each year. (A.R.S. § 41-2401B as amended by Laws 1995, Chapter 178 (H.B. 2001) Section 33, Laws 1998, Chapter 242 (H.B. 2323), Section 32 and Laws 1998, Chapter 113 (H.B.2087), Section 48) (*Effective from and after 6/30/99*) (*Applies retroactively to from and after 6/30/98*)
62. Director shall receive annual comprehensive report of the Criminal Justice Enhancement Fund from the Arizona Criminal Justice Commission on or before December 1. (A.R.S. § 41-2401C as amended by Laws 1995, Chapter 178 (H.B. 2001) Section 33, Laws 1998, Chapter 242 (H.B. 2323), Section 32 and Laws 1998, Chapter 113 (H.B. 2087), Section 48) (*Effective from and after 6/30/99*) (*Applies retroactively to from and after 6/30/98*)
63. The Director of the Department of Administration may enter into a public-private partnership contract where a vendor agrees to finance technology improvements in exchange for fees based on specific performance improvements such as a share of the state's savings or revenue gain. Before the contract is awarded, the JLBC Staff shall be consulted with regarding to the potential fiscal impact of the contract to the state. If the JLBC Staff finds a significant negative fiscal impact to the state, the Staff shall report its findings to the Committee. (A.R.S. § 41-2559D as added by Laws 2000, Chapter 115, Section 2, amended by Laws 2004, Chapter 190, Section 5) **Laws 2000, Chapter 316, Section 15 also adds this same requirement.**
64. JLBC terminates on 7/1/2010. (A.R.S. § 41-3010.01 as added by Laws 2000, Chapter 300, Section 2) [*Effective retroactively to 7/1/00*]
65. Legislative and Judicial departments of state government shall submit information technology plans for information purposes to GITA before September 1. (A.R.S. § 41-3504A(f) as amended by Laws 1999, Chapter 148, Section 3)
66. The JLBC Director, or the Staff Director's designee, shall serve as an advisory member to the Information Technology Authorization Committee (ITAC). (A.R.S. § 41-3521A9)

67. No later than June 30, 2006, the JLBC shall prepare a report on the use of population estimates pursuant to this section (estimates for state shared revenues) and shall include a comparison of:
  - 1) The population estimate data produced by the Department of Economic Security (DES) for purposes of this section with any available census data.
  - 2) State shared revenue amounts distributed to cities, towns and counties using the special census or sample survey population data with amounts that would have been distributed using the population estimate data produced by DES for the purposes of this section. A.R.S. § 42-5033.01B as added by Laws 2003, Chapter 119, Section 5)
68. On or before February 10 of the tax year, the county assessor shall transmit to the JLBC Staff and OSPB the values that are required to compute the truth in taxation rates prescribed in A.R.S. § 41-1276. (A.R.S. § 42-17052C as amended by Laws 2001, Chapter 267, Section 41) *[Effective from and after 12/31/00]*
- \*69. Establishes the Joint Legislative Income Tax Credit Review Committee to determine the original purpose of existing tax credits and establish a standard for evaluating and measuring the success or failure of the tax credits. This committee shall use the JLBC Staff and may use the staff of the Department of Revenue and Legislative Council for assistance. The committee is to report its findings and recommendations to the President of the Senate, the Speaker of the House of Representatives and the Governor by December 15 of the year that the committee reviews the credit. The income tax credit review schedule goes through 2008 2011 [schedule can be found in A.R.S. § 43-222]. (A.R.S. § 43-221 as added by Laws 2002, Chapter 238, Section 1 and more recently amended by Laws 2005, Chapter 12, Section 1, Laws 2005, Chapter 264, Section 1, Laws 2005, Chapter 292, Section 1, and Laws 2005, Chapter 316, Section 2)
- \*70. ~~In consultation with the Water Quality Assurance Revolving Fund Advisory Board, the Director of the Department of Environmental Quality shall prepare and submit a written report to members of the JLBC and the JLBC Director by December 1 of each year. The report shall include certain required information.~~ (A.R.S. § 49-282G as amended by Laws 2003, Chapter 167, Section 1 and further amended by Laws 2005, Chapter 61, Section 1) **Note that A.R.S. § 49-282 is amended somewhat differently in both Laws 2003, Chapter 167, Section 1 and Laws 2003, Chapter 104, Section 43. Laws 2005, Chapter 61 also repeals A.R.S. § 49-282, as amended by Laws 2003, Chapter 104, Section 43.**

#### ***Other Session Laws***

71. Each agency receiving an appropriation in the General Appropriation Act is eligible to retain up to 50% of the amount that would otherwise revert, if certain conditions are met. Two of those involving JLBC include:

By July 31 following the end of the fiscal year, the agency submits a report to the directors of JLBC, Department of Administration and OSPB and to the Performance Based Incentives Pilot Program Oversight Committee members documenting the efficiencies and savings achieved and the plan for expenditure of the retained share of the unspent monies. (Laws 1996, Chapter 363, Section 1 as amended by Laws 1999, Chapter 211, Section 69)

By December 15 following the end of the fiscal year, the JLBC reviews the agency's plan for the expenditure of the retained share of the unspent monies. (Laws 1996, Chapter 363, Section 1 as amended by Laws 1999, Chapter 211, Section 69) **(See same one listed in Committee Responsibilities)**

By November 1 following the end of the fiscal year, the directors of the Department of Administration, the OSPB and the Performance Based Incentives Pilot Program Oversight Committee members shall make a recommendation to JLBC to approve, reject or modify the claimed efficiencies and savings of the agency's plan for the expenditure of the retained share of the unspent monies. (Laws 1998, Chapter 97 (H.B. 2067), Section 1B and repealed by Laws 1999, Chapter 211, Section 70. Now under Laws 1996, Chapter 363, Section 1 as amended by Laws 1999, Chapter 211, Section 69)

72. JLBC Staff shall submit a report summarizing the terms of the Grand Canyon National Park Airport lease to the Speaker and President within 30 days after receipt of the lease by the Arizona Department of Transportation (ADOT). After JLBC review and submission of the report, ADOT may execute the lease. (Laws 2000, Chapter 99, Section 11A as amended by Laws 2001, Chapter 99, Section 2)
- \*73. ~~JLBC Staff shall receive monthly reports from the Arizona State Retirement System on the estimated and actual number of data processing hours used to implement this act, the amount of funds expended and the progress toward implementation of this act. [health insurance coverage for government retirees] (Added by Laws 2003, Chapter 247, Section 6B)~~
74. The amount of monies transferred [by the County Treasurer] shall be determined by the JLBC Director based on the annual legislative appropriation for special payments and contained in a notice from the Governor. The transfer shall be made on the date or dates specified in the notice from the Governor. *[Special health care districts that construct a general hospital or leases a general hospital from a county]* (Added by Laws 2003, Chapter 268, Section 26)
- \*75. ~~JLBC Director to receive a detailed and comprehensive report no later than October 1, 2004 from the Department of Transportation of its operations and expenses and a plan to transfer the department's duties to a regulatory board by December 31, 2005 relating to the licensing and regulation of vehicle dealers, automotive recyclers, and other entities regulated by ADOT pursuant to Title 28, Chapter 10, Arizona Revised Statutes. Indicates what the report is to include. (Added by Laws 2004, Chapter 124, Section 1)~~
- \*76. ~~The Joint Legislative Study Committee on Hayden Winkelman property taxes is established. The JLBC shall provide staff support for the study committee. The study committee shall submit a report of its findings and recommendations to the President of the Senate, the Speaker of the House of Representatives and the Governor on or before December 31, 2004. (Added by Laws 2004, Chapter 278, Section 18B) Repealed from and after September 30, 2005.~~
- \*77. ~~JLBC Director shall compute amounts to be withheld from Transaction Privilege Tax revenues for counties with a population of at least 1,500,000 persons in accordance with~~

~~subsection B of this section based on the distribution of disproportionate share funding to county operated hospitals made pursuant to A.R.S. § 36-2903.01P for FY 2005.~~ (Added by Laws 2004, Chapter 279, Section 9A)

- \*78. NEW 05: THE DEPARTMENT OF EDUCATION SHALL PROVIDE STAFF FOR THE SCHOOL DISTRICT REDISTRICTING COMMISSION, AND THE JLBC, OSPB, THE SCHOOL FACILITIES BOARD, ANY COUNTY SCHOOL SUPERINTENDENT IN THIS STATE AND ANY COUNTY ASSESSOR IN THIS STATE SHALL PROVIDE STAFF SUPPORT, ASSISTANCE AND RESOURCES TO THE SCHOOL DISTRICT REDISTRICTING COMMISSION AT THE REQUEST OF THE COMMISSION. (Laws 2005, Chapter 191, Section 3C) *Repealed from and after December 31, 2008.*
- \*79. NEW 05: BY ELECTING TO APPLY AN ENHANCED SALES FACTOR FORMULA IN ALLOCATING BUSINESS INCOME UNDER A.R.S. § 43-1139A1(b)2(b) AND 3(b), AS AMENDED BY THIS ACT, A CORPORATION AGREES TO PARTICIPATE IN AN ECONOMIC IMPACT ANALYSIS CONDUCTED BY THE JLBC. THE DEPARTMENT OF REVENUE SHALL COOPERATE WITH THE JLBC BY PROVIDING THE IDENTITY OF THOSE CORPORATIONS. JLBC SHALL PROVIDE A REPORT OF THE ECONOMIC IMPACT ANALYSIS ON OR BEFORE JULY 1, 2011 THAT INCLUDES:
1. THE NUMBER OF CORPORATIONS THAT ELECT TO USE THE ENHANCED SALES FACTOR.
  2. THE NUMBER AND VALUE OF INVESTMENTS MADE BY THOSE CORPORATIONS.
  3. AN EVALUATION OF THIS STATE'S PERFORMANCE IN ATTRACTING AND RETAINING HIGH WAGE INDUSTRIES, INVESTMENTS AND EMPLOYMENT IN THE PERIOD AFTER THE EFFECTIVE DATE OF THIS ACT.

JLBC SHALL PROVIDE COPIES OF THE REPORT TO OSPB, THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS AND ANY OTHER PERSON WHO REQUESTS A COPY OF THE REPORT. (Laws 2005, Chapter 289, Section 2 and 3) Conditional Effective Date -

- A. *This act is effective from and after December 31, 2007 and applies retroactively to taxable years beginning from and after December 31, 2006, but only if both of the following conditions occur:*
1. *On or after **June 1, 2005**, one or more corporations must publicly announce, and report in writing to the JLBC and OSPB, one or more capital investment projects, individually or collectively cumulating capital costs in excess of \$1 billion in the aggregate for all reporting corporations. Indicates what the notice must include.*
  2. *No later than **December 15, 2007**, one or more corporations reporting under paragraph 1 of this subsection must publicly notify the JLBC and OSPB that one or more reported projects, individually or collectively cumulating capital costs in excess of \$1 billion in the aggregate, have commenced, as evidenced by the actual start of new construction, reconstruction or expansion or the installation of new equipment.*
- B. *JLBC and OSPB shall jointly:*

1. *Publish a list in 2006, 2007 and 2008 of corporations and projects that are reported and undertaken for purposes of this section.*
  2. *On or before **December 31, 2007**, notify in writing the Director of the Department of Revenue and the Director of Legislative Council if the conditions prescribed by subsection A have occurred and the date they occurred or if the conditions have not occurred.*
- C. *On or before **December 31, 2005, 2006, 2007 and 2008**, each corporation that made capital investment commitments under subsection A1 shall make a written report on the status of each project, including the progress, the projected costs of completion, the amounts actually spent to date and any changes and updates in the project that have occurred. Copies of the reports shall be provided to the JLBC, OSPB, Department of Revenue, the County Assessor and the Arizona State Library, Archives and Public Records.*
- \*80. NEW 05: JLBC DIRECTOR SHALL COMPUTE AMOUNTS TO BE WITHHELD FROM TRANSACTION PRIVILEGE TAX REVENUES FOR COUNTIES WITH A POPULATION OF AT LEAST 1,500,000 PERSONS IN ACCORDANCE WITH SUBSECTION B OF THIS SECTION BASED ON THE DISTRIBUTION OF DISPROPORTIONATE SHARE FUNDING TO COUNTY OPERATED HOSPITALS MADE PURSUANT TO A.R.S. § 36-2903.01P FOR FY 2006. (Added by Laws 2005, Chapter 328, Section 15)
- \*81. NEW 05: OSPB AND ADOA SHALL PHASE-IN THE NON-APPROPRIATED MONIES REPORT REQUIRED BY A.R.S. § 35-123, AS ADDED BY THIS ACT, AND A.R.S. § 35-131, AS AMENDED BY THIS ACT. THE PRELIMINARY REPORT SHALL BE SUBMITTED BY JUNE 1, 2006 FOR ADOA AND BY AUGUST 1, 2006 FOR OSPB. THE PRELIMINARY REPORT SHALL PROVIDE PARTIAL YEAR INFORMATION FOR 5 PILOT AGENCIES, AS DETERMINED IN CONSULTATION WITH THE JLBC STAFF. A FINAL REPORT WITH FULL YEAR DATA FOR THE 5 PILOT AGENCIES SHALL BE SUBMITTED BY DECEMBER 1, 2006 FOR ADOA AND BY FEBRUARY 1, 2007 FOR OSPB. (Laws 2005, Chapter 331, Section 16)

JLBC Staff

9/19/05

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